

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CARLOS PERDOMO,

Plaintiff,

v.

PLUMBER, et al.,

Defendants.

Case No. 17-06962 BLF (PR)

**ORDER REOPENING CASE;
GRANTING MOTION FOR
ENLARGEMENT OF TIME TO FILE
AMENDED COMPLAINT**

(Docket No. 13)

Plaintiff, a state prisoner proceeding *pro se*, filed a complaint pursuant to 42 U.S.C. § 1983.¹ On April 12, 2018, the Court dismissed the complaint with leave to amend. (Docket No. 9.) On May 22, 2018, the Court dismissed this action without prejudice after Plaintiff failed to file an amended complaint within the time provided. (Docket No. 10.) Plaintiff has filed a notice of change of address, (Docket No. 12), and a motion for an enlargement of time to file an amended complaint. (Docket No. 13.) Plaintiff states that he did not receive the Court's April 12, 2018 order until May 10, 2018, and due to his recent transfer to another facility, he does not have the necessary resources to file an amended complaint. (Docket No. 12 at 1-2.) The Court construes Plaintiff's motion for an

¹ This action was reassigned to this Court on January 19, 2018.

1 enlargement of time as a motion to reopen this action.

2 Having shown good cause, the Court **VACATES** the judgment and **REOPENS** the
3 case. Additionally, Plaintiff's request for an enlargement of time to file an amended
4 complaint is **GRANTED**. Within **twenty-eight (28) days** of the date this order is filed,
5 Plaintiff shall file an **amended complaint** to state sufficient facts to state a deliberate
6 indifference claim as described in the Court's April 12, 2018 order.

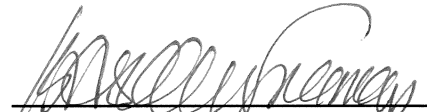
7 **Plaintiff is advised that failure to respond in accordance with this order in the**
8 **time provided will result in the dismissal of this action without prejudice and without**
9 **further notice to Plaintiff.**

10 The Clerk shall reopen this action.

11 This order terminates Docket No. 13.

12 **IT IS SO ORDERED.**

13 Dated: June 4, 2018


BETH LABSON FREEMAN
United States District Judge